

APPENDIX A
LEASE STIPULATIONS

Stipulations: Lease N-74854

General Stipulations for Leasing Geothermal Resources
Managed by the Winnemucca Field Office (Winn Stip)

General Sage Grouse Stipulation

Prior to entry on any lease areas which include known or potential habitat, the lessee (operator) shall contact the appropriate BLM Field Office to discuss any proposed activities.

Other Biota

Prior to site development, a survey for invertebrates will be conducted on areas where geothermal surface expressions occur.

Controlled Or Limited Surface Use (Avoidance and/or Mitigation Measures To Be Developed)

The lease area may now or hereafter contain plants, animals, or their habitats determined to be threatened, endangered, or other special status species. BLM may recommend modifications to exploration and development proposals to further its conservation and management objective to avoid BLM-approved activity that will contribute to a need to list such a species or their habitat. BLM may require modifications to or disapprove proposed activity that is likely to result in jeopardy to the continued existence of a proposed or listed threatened or endangered species or result in the destruction or adverse modifications of a designated or proposed critical habitat. BLM will not approve any ground-disturbing activity that may affect any such species or critical habitat until it completes its obligations under applicable requirements of the Endangered Species Act, 16 U.S.C. 1531, as amended, including completion of any required procedure for conference or consultation.

Wild Horse and Burros

If wild horse or burro populations are located on sites proposed for development, it may be necessary to avoid or develop mitigation measures to reduce adverse impacts to horses. These measures may include providing alternative water sources for horses of equal quality and quantity.

Migratory Birds

Surface disturbing activities during the migratory bird nesting season (March to July) may be restricted in order to avoid potential violation of the Migratory Bird Act. Appropriate inventories of migratory birds shall be conducted during analysis of actual site development. If active nests are located, the proponent shall coordinate with BLM to establish appropriate protection measures for the nesting sites which may include avoidance or restricting or excluding development during certain areas to times when nests and nesting birds will not be disturbed. During development and production phases, if artificial ponds potentially detrimental to migratory birds are created, these shall be fitted with exclusion devices such as netting or floating balls.

Vegetation

All areas of exploration and or development disturbance will be reclaimed including re-contouring disturbed areas to blend with the surrounding topography and using appropriate methods to seed with a diverse perennial seed mix. The seed mix used to reclaim disturbed areas would be “certified” weed free.

Riparian Areas

No surface occupancy within 650 feet (horizontal measurement) of any surface water bodies, riparian areas, wetlands, playas or 100-year floodplains to protect the integrity of these resources (as indicated by the presence of riparian vegetation and no actual water). Exceptions to this restriction may be considered on a case-by-case basis if the BLM determines at least one of the following conditions apply: 1) additional development is proposed in an area where current development has shown no adverse impacts, 2) suitable off-site mitigation will be provided if habitat loss is expected, or 3) BLM determines development proposed under any plan of operations ensures adequate protection of the resources.

Noxious Weeds

During all phases of exploration and development, the lessee shall maintain a noxious weed control program consisting of monitoring and eradication for species listed on the Nevada Designated Noxious Weed List (NRS 555.010).

Cultural Resources

Controlled or Limited Surface Use

All surface disturbing activities proposed after issuance of the lease are subject to compliance with Section 106 of the National Historic Protection Act (NHPA) and its implementation through the protocol between the BLM Nevada State Director and the Nevada State Historic Preservation Officer.

Paleontological Resources

Where significant paleontological resources are identified, mitigating measures such as data recovery, restrictions on development, and deletion of some areas from development may be required on a case by case basis.

Water Resources

As exploration and development activities commence, the operator shall institute a hydrologic monitoring program. The details of the monitoring programs will be site specific and the intensity shall be commensurate with the level of exploration. For example, if the proponent will be conducting seismic studies the monitoring would be limited to the identification of water resources to be monitored as activities continue; if a drilling program were to be undertaken the number of aquifers encountered, their properties, their quality, and their saturated thickness would be documented. The information collected will be submitted to the Bureau of Land Management and will be used to support future NEPA documentation as development progresses. Adverse impacts to surface expressions of the geothermal reservoir (hot springs), and Threatened and Endangered Species habitat are not acceptable. The lessee will monitor the quality, quantity, and temperature of any hot springs or other water resource within the project area whenever they are conducting activities which have the potential to impact those resources. If adverse impacts do occur, BLM will require the lessee to take corrective action to mitigate the impact. Corrective action may include shutting down the operation.

These are in addition to the other stipulations. These are LEASE stipulations, not operational. The information gathered under the monitoring stipulation will be used to identify future impacts at the operational stage.

Lands & Realty

No drilling, including exploration or development activities within linear Rights-of-Way.

Hazardous Materials

Prior to exploration and development, an emergency response plan will be developed that includes contingencies for hazardous material spills and disposal.

Special Stipulation for Leasing Geothermal Resources
Managed by the Winnemucca Field Office (Winn Stip)
Within the New York Canyon

Further development, including exploration, in Potentially Valuable Area (PVA) #12 (New York Canyon and surrounding area), cannot take place unless additional environmental analysis concludes that such development would not have an adverse effect on Traditional Cultural Properties (TCPs).

Stipulations: Lease N-76298

General Stipulations for Leasing Geothermal Resources
Managed by the Winnemucca Field Office (Winn Stip)

General Sage Grouse Stipulation

Prior to entry on any lease areas which include known or potential habitat, the lessee (operator) shall contact the appropriate BLM Field Office to discuss any proposed activities.

Other Biota

Prior to site development, a survey for invertebrates will be conducted on areas where geothermal surface expressions occur.

Controlled or Limited Surface Use

The lease area may now or hereafter contain plants, animals, or their habitats determined to be threatened, endangered, or other special status species. BLM may recommend modifications to exploration and development proposals to further its conservation and management objective to avoid BLM-approved activity that will contribute to a need to list such a species or their habitat. BLM may require modifications to or disapproved proposed activity that is likely to result in jeopardy to the continued existence of a proposed or listed threatened or endangered species or result in the destruction or adverse modifications of a designated or proposed critical habitat. BLM will not approve any ground-disturbing activity that may affect any such species or critical habitat until it completes its obligations under applicable requirements of the Endangered Species Act, 16 U.S.C. 1531, as amended, including completion of any required procedure for conference or consultation.

Wild Horse and Burros

If wild horse or burro populations are located on sites proposed for development, it may be necessary to avoid or develop mitigation measures to reduce adverse impacts to horses. These measures may include providing alternative water sources for horses of equal quality and quantity.

Migratory Birds

Surface disturbing activities during the migratory bird nesting season (March to July) may be restricted in order to avoid potential violation of the Migratory Bird Act. Appropriate inventories of migratory birds shall be conducted during analysis of actual site development. If active nests are located, the proponent shall coordinate with BLM to establish appropriate protection measures for the nesting sites which may include avoidance or restricting or excluding development during certain areas to times when nests and nesting birds will not be disturbed. During development and production phases, if artificial ponds potentially detrimental to migratory birds are created, these shall be fitted with exclusion devices such as netting or floating balls.

Vegetation

All areas of exploration and or development disturbance will be reclaimed including re-contouring disturbed areas to blend with the surrounding topography and using appropriate methods to seed with a diverse perennial seed mix. The seed mix used to reclaim disturbed areas would be “certified” weed free.

Riparian Areas

No surface occupancy within 650 feet (horizontal measurement) of any surface water bodies, riparian areas, wetlands, playas or 100-year floodplains to protect the integrity of these resources (as indicated by the presence of riparian vegetation and no actual water). Exceptions to this restriction may be considered on a case-by-case basis if the BLM determines at least one of the following conditions apply: 1) additional development is proposed in an area where current development has shown no adverse impacts, 2) suitable off-site mitigation will be provided if habitat loss is expected, or 3) BLM determines development proposed under any plan of operations ensures adequate protection of the resources.

Noxious Weeds

During all phases of exploration and development, the lessee shall maintain a noxious weed control program consisting of monitoring and eradication for species listed on the Nevada Designated Noxious Weed List (NRS 555.010).

Cultural Resources

Controlled or Limited Surface Use

All surface disturbing activities proposed after issuance of the lease are subject to compliance with Section 106 of the National Historic Protection Act (NHPA) and it's implementation through the protocol between the BLM Nevada State Director and the Nevada State Historic Preservation Officer.

Native American

No surface occupancy within the setting of National Register eligible Traditional Cultural Properties (TCPs) where integrity of the setting is critical to their eligibility. For development and production phases, surface occupancy may be limited to a specific distance or precluded at hot springs, pending conclusion of the Native American consultation process. All development activities proposed under the authority of this lease are subject to the requirement for Native American consultation prior to BLM authorizing the activity. Depending on the nature of the lease developments being proposed and the resources of concerns to tribes potentially effected, Native American consultation and resulting mitigation measures to avoid significant impacts may extend time frames for processing authorizations for development activities, as well as, change in the ways in which developments are implemented.

Paleontological Resources

Where significant paleontological resources are identified, mitigating measures such as data recovery, restrictions on development, and deletion of some areas from development may be required on a case by case basis.

Resources

As exploration and development activities commence, the operator shall institute a hydrologic monitoring program. The details of the monitoring programs will be site specific and the intensity shall be commensurate with the level of exploration. For example, if the proponent will be conducting seismic studies the monitoring would be limited to the identification of water resources to be monitored as activities continue; if a drilling program were to be undertaken the number of aquifers encountered, their properties, their quality, and their saturated thickness would be documented. The information collected will be submitted to the Bureau of Land Management and will be used to support future NEPA

documentation as development progresses. Adverse impacts to surface expressions of the geothermal reservoir (hot springs), and Threatened and Endangered Species habitat are not acceptable. The leasee will monitor the quality, quantity, and temperature of any hot springs or other water resource within the project area whenever they are conducting activities which have the potential to impact those resources. If adverse impacts do occur, BLM will require the lessee to take corrective action to mitigate the impact. Corrective action may include shutting down the operation.

These are in addition to the other stipulations. These are LEASE stipulations, not operational, the information gathered under the monitoring stipulation will be used to identify future impacts at the operational stage.

Lands & Realty

No drilling, including exploration or development activities within linear Rights-of-Way.

Hazardous Materials

Prior to exploration and development, an emergency response plan will be developed that includes contingencies for hazardous material spills and disposal.

Stipulations for Leasing Geothermal Resources Within the New York Canyon
KGRA Managed by the Winnemucca Field Office (NYC Winn Stip)

Further development, including exploration, in the New York Canyon KGRA and adjacent noncompetitive lease application areas, cannot take place unless additional environmental analysis concludes that such development would not have an adverse effect on Traditional Cultural Properties (TCPs).

Stipulations: Lease N-76299

General Stipulations for Leasing Geothermal Resources
Managed by the Winnemucca Field Office (Winn Stip)

General Sage Grouse Stipulation

Prior to entry on any lease areas which include known or potential habitat, the lessee (operator) shall contact the appropriate BLM Field Office to discuss any proposed activities.

Other Biota

Prior to site development, a survey for invertebrates will be conducted on areas where geothermal surface expressions occur.

Controlled Or Limited Surface Use

The lease area may now or hereafter contain plants, animals, or their habitats determined to be threatened, endangered, or other special status species. BLM may recommend modifications to exploration and development proposals to further its conservation and management objective to avoid BLM-approved activity that will contribute to a need to list such a species or their habitat. BLM may require modifications to or disapprove proposed activity that is likely to result in jeopardy to the continued existence of a proposed or listed threatened or endangered species or result in the destruction or adverse modifications of a designated or proposed critical habitat. BLM will not approve any ground-disturbing activity that may affect any such species or critical habitat until it completes its obligations under applicable requirements of the Endangered Species Act, 16 U.S.C. 1531, as amended, including completion of any required procedure for conference or consultation.

Wild Horse and Burros

If wild horse or burro populations are located on sites proposed for development, it may be necessary to avoid or develop mitigation measures to reduce adverse impacts to horses. These measures may include providing alternative water sources for horses of equal quality and quantity.

Migratory Birds

Surface disturbing activities during the migratory bird nesting season (March to July) may be restricted in order to avoid potential violation of the Migratory Bird Act. Appropriate inventories of migratory birds shall be conducted during analysis of actual site development. If active nests are located, the proponent shall coordinate with BLM to establish appropriate protection measures for the nesting sites which may include avoidance or restricting or excluding development during certain areas to times when nests and nesting birds will not be disturbed. During development and production phases, if artificial ponds potentially detrimental to migratory birds are created, these shall be fitted with exclusion devices such as netting or floating balls.

Vegetation

All areas of exploration and or development disturbance will be reclaimed including re-contouring disturbed areas to blend with the surrounding topography and using appropriate methods to seed with a diverse perennial seed mix. The seed mix used to reclaim disturbed areas would be “certified” weed free.

Riparian Areas

No surface occupancy within 650 feet (horizontal measurement) of any surface water bodies, riparian areas, wetlands, playas or 100-year floodplains to protect the integrity of these resources (as indicated by the presence of riparian vegetation and no actual water). Exceptions to this restriction may be considered on a case-by-case basis if the BLM determines at least one of the following conditions apply: 1) additional development is proposed in an area where current development has shown no adverse impacts, 2) suitable off-site mitigation will be provided if habitat loss is expected, or 3) BLM determines development proposed under any plan of operations ensures adequate protection of the resources.

Noxious Weeds

During all phases of exploration and development, the lessee shall maintain a noxious weed control program consisting of monitoring and eradication for species listed on the Nevada Designated Noxious Weed List (NRS 555.010).

Cultural Resources

Controlled or Limited Surface Use

All surface disturbing activities proposed after issuance of the lease are subject to compliance with Section 106 of the National Historic Protection Act (NHPA) and it's implementation through the protocol between the BLM Nevada State Director and the Nevada State Historic Preservation Officer.

Native American

No surface occupancy within the setting of National Register eligible Traditional Cultural Properties (TCPs) where integrity of the setting is critical to their eligibility. For development and production phases, surface occupancy may be limited to a specific distance or precluded at hot springs, pending conclusion of the Native American consultation process. All development activities proposed under the authority of this lease are subject to the requirement for Native American consultation prior to BLM authorizing the activity. Depending on the nature of the lease developments being proposed and the resources of concerns to tribes potentially effected, Native American consultation and resulting mitigation measures to avoid significant impacts may extend time frames for processing authorizations for development activities, as well as, change in the ways in which developments are implemented.

Paleontological Resources

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Resources

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documentation as development progresses. Adverse impacts to surface expressions of the geothermal reservoir (hot springs), and Threatened and Endangered Species habitat are not acceptable. The leasee will monitor the quality, quantity, and temperature of any hot springs or other water resource within the project area whenever they are conducting activities which have the potential to impact those resources. If adverse impacts do occur, BLM will require the lessee to take corrective action to mitigate the impact. Corrective action may include shutting down the operation.

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Lands & Realty

No drilling, including exploration or development activities within linear Rights-of-Way.

Hazardous Materials

Prior to exploration and development, an emergency response plan will be developed that includes contingencies for hazardous material spills and disposal.

Stipulations for Leasing Geothermal Resources Within the New York Canyon
KGRA Managed by the Winnemucca Field Office (NYC Winn Stip)

Further development, including exploration, in the New York Canyon KGRA and adjacent noncompetitive lease application areas, cannot take place unless additional environmental analysis concludes that such development would not have an adverse effect on Traditional Cultural Properties (TCPs).

Stipulations: Lease N-76300

General Stipulations for Leasing Geothermal Resources
Managed by the Winnemucca Field Office (Winn Stip)

General Sage Grouse Stipulation

Prior to entry on any lease areas which include known or potential habitat, the lessee (operator) shall contact the appropriate BLM Field Office to discuss any proposed activities.

Other Biota

Prior to site development, a survey for invertebrates will be conducted on areas where geothermal surface expressions occur.

Controlled Or Limited Surface Use

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Vegetation

All areas of exploration and or development disturbance will be reclaimed including re-contouring disturbed areas to blend with the surrounding topography and using appropriate methods to seed with a diverse perennial seed mix. The seed mix used to reclaim disturbed areas would be "certified" weed free.

Riparian Areas

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Noxious Weeds

During all phases of exploration and development, the lessee shall maintain a noxious weed control program consisting of monitoring and eradication for species listed on the Nevada Designated Noxious Weed List (NRS 555.010).

Cultural Resources

Controlled or Limited Surface Use

All surface disturbing activities proposed after issuance of the lease are subject to compliance with Section 106 of the National Historic Protection Act (NHPA) and its implementation through the protocol between the BLM Nevada State Director and the Nevada State Historic Preservation Officer.

Native American

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Paleontological Resources

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Resources

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Lands & Realty

No drilling, including exploration or development activities within linear Rights-of-Way.

Hazardous Materials

Prior to exploration and development, an emergency response plan will be developed that includes contingencies for hazardous material spills and disposal.

Stipulations for Leasing Geothermal Resources Within the New York Canyon
KGRA Managed by the Winnemucca Field Office (NYC Winn Stip)

Further development, including exploration, in the New York Canyon KGRA and adjacent noncompetitive lease application areas, cannot take place unless additional environmental analysis concludes that such development would not have an adverse effect on Traditional Cultural Properties (TCPs).

Stipulations: Lease N-76301

General Stipulations for Leasing Geothermal Resources
Managed by the Winnemucca Field Office (Winn Stip)

General Sage Grouse Stipulation

Prior to entry on any lease areas which include known or potential habitat, the lessee (operator) shall contact the appropriate BLM Field Office to discuss any proposed activities.

Other Biota

Prior to site development, a survey for invertebrates will be conducted on areas where geothermal surface expressions occur.

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Wild Horse and Burros

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Vegetation

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Riparian Areas

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Noxious Weeds

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Cultural Resources

Controlled or Limited Surface Use

All surface disturbing activities proposed after issuance of the lease are subject to compliance with Section 106 of the National Historic Protection Act (NHPA) and its implementation through the protocol between the BLM Nevada State Director and the Nevada State Historic Preservation Officer.

Native American

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Paleontological Resources

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Resources

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These are in addition to the other stipulations. These are LEASE stipulations, not operational, the information gathered under the monitoring stipulation will be used to identify future impacts at the operational stage.

Lands & Realty

No drilling, including exploration or development activities within linear Rights-of-Way.

Hazardous Materials

Prior to exploration and development, an emergency response plan will be developed that includes contingencies for hazardous material spills and disposal.

Stipulations for Leasing Geothermal Resources Within the New York Canyon
KGRA Managed by the Winnemucca Field Office (NYC Winn Stip)

Further development, including exploration, in the New York Canyon KGRA and adjacent noncompetitive lease application areas, cannot take place unless additional environmental analysis concludes that such development would not have an adverse effect on Traditional Cultural Properties (TCPs).

Stipulations: Lease N-86890

Threatened, Endangered, or other special status species

All development activities proposed under the authority of this lease are subject to the requirement for Native American consultation prior to BLM authorizing the activity. Depending on the nature of the lease developments being proposed and the resources of concerns to tribes potentially affected, Native American consultation and resulting mitigation measures to avoid significant impact may extend timeframes for processing authorizations for development activities, as well as, change in the ways in which developments are implemented.

Authority/Supporting Documentation:

EA-NV-02-029 Geothermal Resources Leasing PEA, September 10, 2002

PEIS for Geothermal Leasing in the Western US, October 2008

Description of Lands

PARCEL NV-09-07-052

ALL LANDS

N-86890

No Surface Occupancy

No surface occupancy in or near TCPs or sacred sites.

Authority/Supporting Documentation:

EA-NV-02-029 Geothermal Resources Leasing PEA, September 10, 2002

PEIS for Geothermal Leasing in the Western US, October 2008

Description of Lands

PARCEL NV-09-07-052

T. 25 N., R. 35 E., MDM, Nevada
Sec. 22, E2SW, SE.

N-86890

No Surface Occupancy

No surface occupancy within the boundary of properties designated or eligible for the National Register of Historic Places, including National Landmarks and National Register Districts and Sites, and additional lands outside the designated boundaries to the extent necessary to protect values where the setting and integrity is critical to their designation or eligibility.

Authority/Supporting Documentation:

EA-NV-02-029 Geothermal Resources Leasing PEA, September 10, 2002

PEIS for Geothermal Leasing in the Western US, October 2008

Description of Lands

PARCEL NV-09-07-052

T. 25 N., R. 35 E., MDM, Nevada
Sec. 22, E2SW, SE.

N-86890

National Historic Protection

All surface disturbing activities proposed after issuance of the lease are subject to compliance with Section 106 of the National Historic Protection Act (NHPA) and its implementation through the protocol between the BLM Nevada State Director and the Nevada State Historic Preservation Officer.

Authority/Supporting Documentation:

EA-NV-02-029 Geothermal Resources Leasing PEA, September 10, 2002

PEIS for Geothermal Leasing in the Western US, October 2008

Description of Lands

PARCEL NV-09-07-052

ALL LANDS

N-86890

Stipulation

No drilling, including exploration or development activities within linear Rights-of-Way.

Authority/Supporting Documentation:

EA-NV-02-029 Geothermal Resources Leasing PEA, September 10, 2002

PEIS for Geothermal Leasing in the Western US, October 2008

BLM Instruction Memorandum No. 2002-174

Description of Lands

PARCEL NV-09-07-052

ALL LANDS

N-86890

Stipulation

In the event that previously undiscovered paleontological resources are discovered in the performance of any surface disturbing activities, the item(s) will be left intact and immediately brought to the attention of the authorized officer of the BLM.

Authority/Supporting Documentation:

EA-NV-02-029 Geothermal Resources Leasing PEA, September 10, 2002

PEIS for Geothermal Leasing in the Western US, October 2008

BLM Instruction Memorandum No. 2002-174

Description of Lands

PARCEL NY-09-07-052

ALL LANDS

NV-WDO-PALEO-01

Controlled Surface Use

Controlled surface use for moderate potential for paleontological resources. Potential Fossil Yield Classification (PFYC) 3: Moderate Potential.

Inventory and/or on-site monitoring during disturbance or spot checking may be required. If fossils are discovered, avoidance or data recovery will be required prior to their disturbance if they are deemed to be of scientific importance.

It has been determined the following areas contain lands classified as PFYC 3:

Authority/Supporting Documentation:

EA-NV-02-029 Geothermal Resources Leasing PEA, September 10, 2002

PEIS for Geothermal Leasing in the Western US, October 2008

Description of Lands

PARCEL NV-09-07-052

T. 25 N., R. 35 E., MDM, Nevada
Sec. 09, all;
Sec. 16, all;
Sec. 20, all;
Sec. 21, all;
Sec. 22, W2;
Sec. 28, N2, W2SW;
Sec. 29, all;
Sec. 32, NE, W2, W2SW.

N-86890

Controlled Surface Use

Controlled surface use for protection of erosive soils and soils on slopes greater than 30 percent.

This stipulation would be applied to minimize the potential for adverse impacts to soils as defined as severe or very severe erosion classes based on Natural Resources Conservation Service mapping. There are portions of parcels that have >30% slope:

Authority/Supporting Documentation:

EA-NV-02-029 Geothermal Resources Leasing PEA, September 10, 2002

PEIS for Geothermal Leasing in the Western US, October 2008

Description of Lands

PARCEL NV-09-07-052

T. 25 N., R. 35 E., MDM, Nevada
Sec. 22, S2.

N-86890

No Surface Occupancy

No surface occupancy on slopes in excess of 40 percent and/or high erosion potential. There are portions of parcels that have >40% slope:

Authority/Supporting Documentation:

EA-NV-02-029 Geothermal Resources Leasing PEA, September 10, 2002

PEIS for Geothermal Leasing in the Western US, October 2008

Description of Lands

PARCEL NV-09-07-052

T. 25 N., R. 35 E., MDM, Nevada
Sec. 22, SESE.

NV-WDO-SOIL-01-NSO

Threatened, Endangered, or other special status species

The lease area may now or hereafter contain plants, animals, or their habitats determined to be threatened, endangered, or other special status species. BLM may recommend modifications to exploration and development proposals to further its conservation and management objective to avoid BLM-approved activity that will contribute to a need to list such a species or their habitat. BLM may require modifications to or disapprove proposed activity that is likely to result in jeopardy to the continued existence of a proposed or listed threatened or endangered species or result in the destruction or adverse modifications of a designated or proposed critical habitat. BLM will not approve any ground disturbing activity that may affect any such species or critical habitat until it completes its obligations under applicable requirements of the Endangered Species Act, 16 U.S.C. 1531, as amended, including completion of any required procedure for conference or consultation. Additionally, the BLM will provide a separate notification through a lease notice to prospective lessees identifying the particular special status species that are present on the lease parcel offered.

Authority/Supporting Documentation:

EA-NV-02-029 Geothermal Resources Leasing PEA, September 10, 2002

PEIS for Geothermal Leasing in the Western US, October 2008

BLM Instruction Memorandum No. 2002-174

Description of Lands

PARCEL NV-09-07-052

ALL LANDS

Threatened, Endangered, or other special status species

“The lease area may now or hereafter contain plants, animals, or their habitats determined to be threatened, endangered, or other special status species. BLM may recommend modifications to exploration and development proposals to further its conservation and management objective to avoid BLM-approved activity that will contribute to a need to list such a species or their habitat. BLM may require modifications to or disapprove proposed activity that is likely to result in jeopardy to the continued existence of a proposed or listed threatened or endangered species or result in the destruction or adverse modifications of a designated or proposed critical habitat. BLM will not approve any ground disturbing activity that may affect any such species or critical habitat until it completes its obligations under applicable requirements of the Endangered Species Act, 16 U.S.C. 1531, as amended, including completion of any required procedure for conference or consultation.”

Authority/Supporting Documentation:

EA-NV-02-029 Geothermal Resources Leasing PEA, September 10, 2002

PEIS for Geothermal Leasing in the Western US, October 2008

Description of Lands

PARCEL NV-09-07-052

All Lands

NTL: The Regap data shows the presence of big sagebrush on the lease, which may be potential pygmy rabbit (*Brachylagus idahoensis*) habitat.

NTL: The lease contains occupied desert bighorn sheep (*Ovis Canadensis nelson*) habitat.

N-86890

Stipulation

Monitoring surface and subsurface water resources. As exploration and development activities commence, the operator shall institute a surface and subsurface hydrologic monitoring program. The details of the monitoring programs will be site-specific and the intensity shall be commensurate with the level of exploration.

Authority/Supporting Documentation:

EA-NV-02-029 Geothermal Resources Leasing PEA, September 10, 2002

PEIS for Geothermal Leasing in the Western US, October 2008

BLM Instruction Memorandum No. 2002-174

Description of Lands

PARCEL NV-09-07-052

ALL LANDS

N-86890

No Surface Occupancy

Wild horse or burro populations are known to use some or all of the lease area. As sites are proposed for development, it may be necessary to avoid certain locations, or develop mitigation measures to reduce adverse impacts to horses or burros. Development facilities must be designed and built in a manner that does not hinder the wild and free-roaming behavior of horses and burros. Additional specific measures to protect horses and burros may be developed during review of proposals, and may include measures such as: when access to existing water is to be restricted the operator must provide an alternative water source of equal quality and quantity.

Authority/Supporting Documentation:

EA-NV-02-029 Geothermal Resources Leasing PEA, September 10, 2002

PEIS for Geothermal Leasing in the Western US, October 2008

Description of Lands

PARCEL NV-09-07-052

ALL LANDS

ENDANGERED SPECIES ACT SECTION 7
CONSULTATION STIPULATION

The lease area may now or hereafter contain plants, animals, or their habitats determined to be threatened, endangered, or other special status species. BLM may recommend modifications to exploration and development proposals to further its conservation and management objective to avoid BLM-approved activity that will contribute to a need to list such a species or their habitat. BLM may require modifications to or disapprove proposed activity that is likely to result in jeopardy to the continued existence of a proposed or listed threatened or endangered species or result in the destruction or adverse modifications of a designated or proposed critical habitat. BLM will not approve any ground-disturbing activity that may affect any such species or critical habitat until it completes its obligations under applicable requirements of the Endangered Species Act, 16 U.S.C. § 1531 *et seq.*, as amended, including completion of any required procedure for conference or consultation.

Stipulations: Lease N-86893

N-86893

Threatened, Endangered, or other special status species

All development activities proposed under the authority of this lease are subject to the requirement for Native American consultation prior to BLM authorizing the activity. Depending on the nature of the lease developments being proposed and the resources of concerns to tribes potentially affected, Native American consultation and resulting mitigation measures to avoid significant impact may extend timeframes for processing authorizations for development activities, as well as, change in the ways in which developments are implemented.

Authority/Supporting Documentation:

EA-NV-02-029 Geothermal Resources Leasing PEA, September 10, 2002

PEIS for Geothermal Leasing in the Western US, October 2008

Description of Lands

PARCEL NV-09-07-058

ALL LANDS

N-86893

No Surface Occupancy

No surface occupancy in or near TCPs or sacred sites.

Authority/Supporting Documentation:

EA-NV-02-029 Geothermal Resources Leasing PEA, September 10, 2002

PEIS for Geothermal Leasing in the Western US, October 2008

Description of Lands

PARCEL NV-09-07-058

T. 26 N., R. 36 E., MDM, Nevada
Sec. 33, PROT All.

N-86893

National Historic Protection

All surface disturbing activities proposed after issuance of the lease are subject to compliance with Section 106 of the National Historic Protection Act (NHPA) and its implementation through the protocol between the BLM Nevada State Director and the Nevada State Historic Preservation Officer.

Authority/Supporting Documentation:

EA-NV-02-029 Geothermal Resources Leasing PEA, September 10, 2002

PEIS for Geothermal Leasing in the Western US, October 2008

Description of Lands

PARCEL NV-09-07-058

ALL LANDS

N-86893

Stipulation

No drilling, including exploration or development activities within linear Rights-of-Way.

Authority/Supporting Documentation:

EA-NV-02-029 Geothermal Resources Leasing PEA, September 10, 2002

PEIS for Geothermal Leasing in the Western US, October 2008

BLM Instruction Memorandum No. 2002-174

Description of Lands

PARCEL NV-09-07-058

ALL LANDS

N-86893

Stipulation

In the event that previously undiscovered paleontological resources are discovered in the performance of any surface disturbing activities, the item(s) will be left intact and immediately brought to the attention of the authorized officer of the BLM.

Authority/Supporting Documentation:

EA-NV-02-029 Geothermal Resources Leasing PEA, September 10, 2002

PEIS for Geothermal Leasing in the Western US, October 2008

BLM Instruction Memorandum No. 2002-174

Description of Lands

PARCEL NV-09-07-058

ALL LANDS

NV-WDO-PALEO-01

Controlled Surface Use

Controlled surface use for moderate potential for paleontological resources. Potential Fossil Yield Classification (PFYC) 3: Moderate Potential.

Inventory and/or on-site monitoring during disturbance or spot checking may be required. If fossils are discovered, avoidance or data recovery will be required prior to their disturbance if they are deemed to be of scientific importance.

It has been determined the following areas contain lands classified as PFYC 3:

Authority/Supporting Documentation:

EA-NV-02-029 Geothermal Resources Leasing PEA, September 10, 2002

PEIS for Geothermal Leasing in the Western US, October 2008

Description of Lands

PARCEL NV-09-07-058

T. 26 N., R. 36 E., MDM, Nevada
Sec. 20, PROT All;
Sec. 21, PROT All;
Sec. 28, PROT All;
Sec. 33, PROT N2N2, SE.

Controlled Surface Use

Controlled surface use for protection of erosive soils and soils on slopes greater than 30 percent.

This stipulation would be applied to minimize the potential for adverse impacts to soils as defined as severe or very severe erosion classes based on Natural Resources Conservation Service mapping. There are portions of parcels that have >30% slope:

Authority/Supporting Documentation:

EA-NV-02-029 Geothermal Resources Leasing PEA, September 10, 2002

PEIS for Geothermal Leasing in the Western US, October 2008

Description of Lands

PARCEL NV-09-07-058

T. 26 N., R. 36 E., MDM, Nevada
Sec. 33, PROT All.

Threatened, Endangered, or other special status species

The lease area may now or hereafter contain plants, animals, or their habitats determined to be threatened, endangered, or other special status species. BLM may recommend modifications to exploration and development proposals to further its conservation and management objective to avoid BLM-approved activity that will contribute to a need to list such a species or their habitat. BLM may require modifications to or disapprove proposed activity that is likely to result in jeopardy to the continued existence of a proposed or listed threatened or endangered species or result in the destruction or adverse modifications of a designated or proposed critical habitat. BLM will not approve any ground disturbing activity that may affect any such species or critical habitat until it completes its obligations under applicable requirements of the Endangered Species Act, 16 U.S.C. 1531, as amended, including completion of any required procedure for conference or consultation. Additionally, the BLM will provide a separate notification through a lease notice to prospective lessees identifying the particular special status species that are present on the lease parcel offered.

Authority/Supporting Documentation:

EA-NV-02-029 Geothermal Resources Leasing PEA, September 10, 2002

PEIS for Geothermal Leasing in the Western US, October 2008

BLM Instruction Memorandum No. 2002-174

Description of Lands

PARCEL NV-09-07-058

ALL LANDS

Threatened, Endangered, or other special status species

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Authority/Supporting Documentation:

EA-NV-02-029 Geothermal Resources Leasing PEA, September 10, 2002

PEIS for Geothermal Leasing in the Western US, October 2008

Description of Lands

PARCEL NV-09-07-058

ALL LANDS

NTL: The presence of Pallid bats (*Antrozous pallidus*) and Townsends's big-eared bats (*corynorhinus townsendii*), both designated BLM sensitive species, has been identified on the subject lease (Nevada Department of Wildlife Diversity Data Base).

NTL: The Regap data shows the presence of big sagebrush on the lease, which may be potential pygmy rabbit (*Brachylagus idahoensis*) habitat.

NTL: The lease contains occupied desert bighorn sheep (*Orvis Canadensis nelson*) habitat.

N-86893

Stipulation

Monitoring surface and subsurface water resources. As exploration and development activities commence, the operator shall institute a surface and subsurface hydrologic monitoring program. The details of the monitoring programs will be site-specific and the intensity shall be commensurate with the level of exploration.

Authority/Supporting Documentation:

EA-NV-02-029 Geothermal Resources Leasing PEA, September 10, 2002

PEIS for Geothermal Leasing in the Western US, October 2008

BLM Instruction Memorandum No. 2002-174

Description of Lands

PARCEL NV-09-07-058

ALL LANDS

N-86893

No Surface Occupancy

Wild horse or burro populations are known to use some or all of the lease area. As sites are proposed for development, it may be necessary to avoid certain locations, or develop mitigation measures to reduce adverse impacts to horses or burros. Development facilities must be designed and built in a manner that does not hinder the wild and free-roaming behavior of horses and burros. Additional specific measures to protect horses and burros may be developed during review of proposals, and may include measures such as: when access to existing water is to be restricted the operator must provide an alternative water source of equal quality and quantity.

Authority/Supporting Documentation:

EA-NV-02-029 Geothermal Resources Leasing PEA, September 10, 2002

PEIS for Geothermal Leasing in the Western US, October 2008

Description of Lands

PARCEL NV-09-07-058

ALL LANDS

ENDANGERED SPECIES ACT SECTION 7
CONSULTATION STIPULATION

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N-86893

CULTURAL RESOURCE PROTECTION
LEASE STIPULATION

This lease may be found to contain historic properties or resources protected under the National Historic Preservation Act, American Indian Religious Freedom Act, Native American Graves Protection and Repatriation Act, EO 13007, or other statutes and executive orders. The BLM will not approve any ground-disturbing activities that may affect any such properties or resources until it completes its obligations under applicable requirements of the NHPA and other authorities. The BLM may require exploration or development proposals to be modified to protect such properties, or it may disapprove any activity that is likely to result in adverse effects that could not be successfully avoided, minimized, or mitigated.

WO IM 2005-003
10/05/04